

MICHAEL G. BAILEY  
First Assistant United States Attorney  
District of Arizona  
JASMINE N. LITTLE  
Special Assistant United States Attorney  
ATTN: ATZS-JAE (CPT Jasmine Little)  
Fort Huachuca, AZ 85613-7025  
Email: [jasmine.n.little.mil@mail.mil](mailto:jasmine.n.little.mil@mail.mil)  
Phone: (520) 533-0580  
Attorneys for Plaintiff

FILED	LODGED
RECEIVED	COPY
SEP - 4 2019	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY _____

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

- A.R.S. § 28-1381.A.1. Impaired to the Slightest Degree (Class B)
- A.R.S. § 28-1381.A.2. Driving or Actual Physical Control With an Alcohol Concentration of 0.08 or More Within Two Hours of Driving (Class B)
- A.R.S. § 28-1382.A.1. BAC of 0.15 to 0.19 (Class B)
- A.R.S. § 28-1382.A.2. Super Extreme DUI With BAC of .20 or More (Class B)

COUNT I

## A.R.S. § 28-1381.A.1. Impaired to the Slightest Degree

On or about 17 March 2019, on Fort Huachuca, a federal military reservation within the District of Arizona, a place within the special maritime and territorial jurisdiction of the United States and on land acquired for the use of the United States and under its exclusive jurisdiction, the defendant did drive or was in physical control of a vehicle while under the influence of intoxicating liquor at the time of driving or being in actual physical control of a vehicle, in violation of A.R.S. § 28-1381.A.1, an Arizona Class One Misdemeanor, as assimilated by the Federal Assimilative Crimes Act, 18 U.S.C. §§ 7 and 13, a Federal Class B Misdemeanor.

COUNT II

**A.R.S. § 28-1381.A.2. Driving or Actual Physical Control With an Alcohol Concentration of 0.08 or More Within Two Hours of Driving**

4 On or about 17 March 2019, on Fort Huachuca, a federal military reservation within  
5 the District of Arizona, a place within the special maritime and territorial jurisdiction of  
6 the United States and on land acquired for the use of the United States and under its  
7 exclusive jurisdiction, the defendant did drive or was in actual physical control of a vehicle  
8 while having an alcohol concentration of 0.08 or more within two hours of driving or being  
9 in actual physical control of the vehicle, and the alcohol concentration resulted from  
10 alcohol consumed either before or while driving or being in actual physical control of the  
11 vehicle, in violation of A.R.S. § 28-1381.A.2, an Arizona Class One Misdemeanor, as  
12 assimilated by the Federal Assimilative Crimes Act, 18 U.S.C. §§ 7 and 13, a Federal Class  
13 B Misdemeanor.

### COUNT III

**A.R.S. § 28-1382.A.1. BAC of 0.15 to 0.19**

On or about 17 March 2019, on Fort Huachuca, a federal military reservation within the District of Arizona, a place within the special maritime and territorial jurisdiction of the United States and on land acquired for the use of the United States and under its exclusive jurisdiction, the defendant did drive or was in actual physical control of a vehicle while having an alcohol concentration of 0.15 but less than 0.20 within two hours of driving or being in actual physical control of the vehicle, and the alcohol concentration resulted from alcohol consumed either before or while driving or being in actual physical control of the vehicle, in violation of A.R.S. § 28-1382.A.1, an Arizona Class One Misdemeanor, as assimilated by the Federal Assimilative Crimes Act, 18 U.S.C. §§ 7 and 13, a Federal Class B Misdemeanor.

1                   **COUNT IV**

2                   **A.R.S. § 28-1382.A.2. Super Extreme DUI With BAC of 0.20 or More**

3                   On or about 17 March 2019, on Fort Huachuca, a federal military reservation within  
4                   the District of Arizona, a place within the special maritime and territorial jurisdiction of  
5                   the United States and on land acquired for the use of the United States and under its  
6                   exclusive jurisdiction, the defendant did drive or was in actual physical control of a vehicle  
7                   while having an alcohol concentration of 0.20 or more within two hours of driving or being  
8                   in actual physical control of the vehicle, and the alcohol concentration resulted from  
9                   alcohol consumed either before or while driving or being in actual physical control of the  
10                  vehicle, in violation of A.R.S. § 28-1382.A.2, an Arizona Class One Misdemeanor, as  
11                  assimilated by the Federal Assimilative Crimes Act, 18 U.S.C. §§ 7 and 13, a Federal Class  
12                  B Misdemeanor.

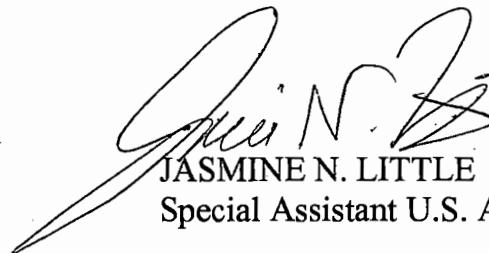
13

14                  Respectfully submitted this 4<sup>th</sup> day of September, 2019.

15

16                  MICHAEL G. BAILEY  
17                  First Assistant U.S. Attorney  
18                  District of Arizona

19

20                    
21                  JASMINE N. LITTLE  
22                  Special Assistant U.S. Attorney